INCOMING TELEGRAM Department of State

6 CONFIDENTIAL

Control: VR 922
Rec'd: August 25, 1953
1:15 a.m.
PA or FOI Exemptions

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FROM: Tokyo

TO: Secretary of State

NO: 493, August 24, 7 p.m.

Reference Department telegram 419 August 18.

1. FCN Treaty reservation notes scheduled for exchange August 29.

2. Additional editorial amendments agreed as follows:

(A) In Japanese reservation note, delete first clause of second sentence and substitute: "In the course of Diet deliberations on the approved for the conclusion of the treaty, the desire was expressed that should any reservation be made, etc."

(B) In text Japanese reservation, add after "states", words "territories or possessions of the United States of America, including the District of Columbia". Japanese reluctant omit "possessions" and "District of Columbia" from their reservation and justify inclusion on basis clarity and to avoid possible ambiguity. Embassy perceives no objection.

(C) In last paragraph Japanese reservation note pertinent portion after phrase "to inform me" should read "on behalf of Your Excellency's Government whether Government of United States finds acceptable, etc."

(D) Last paragraph United States acceptance now reads. "I have honor further to inform Your Excellency on behalf of my government, that above reservation acceptable to Government of United States America."

3. Foreign Office side letter interpreting "belong" in following verbatim text message. Japanese understand interpretive letter does not call for United States' reply and will not (repeat not) become part of ratification instruments.

Request confirmation this point.

4. Embassy was not called upon explain or justify to Foreign Office United States' position that "state" includes territories because it is in lower case and used in generic sense. Japanese readily concurred United States' view, presumably because they wished plug apparent loop-hole in United States' reservation which could benefit United States' nationals in Japan.

ALLISON

MAM:OJS/11

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